

Walker, Terry, and **Peter J. Grund**. “speaking base approbious words’: Speech Representation in Early Modern English Witness Depositions.” *Journal of Historical Pragmatics* (accepted manuscript version, post-peer review)

**“speaking base approbious words”: Speech Representation in Early Modern English
Witness Depositions**

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This article explores the representation of speech in Early Modern English witness depositions. We demonstrate that Semino and Short’s (2004) framework of description, which has for the most part been used in explorations of present-day texts, is generally applicable to our historical data. Our study shows that factors such as the importance of the evidence cited and the clarity of the deposition narrative were crucial considerations in representing speech in different contexts.

Keywords: speech representation, witness depositions, Early Modern English

1. Introduction¹

The representation of spoken language from an earlier speech event or the depiction of fictional speech plays a crucial role in different genres and contexts, from newspaper reportage, novels, and trial proceedings to letters and everyday conversations.² In these contexts, users of English have a number of options at their disposal for how to represent the speech, and the mode of representation is guided by pragmatic factors tied to the individual genres and situations. For example, the option of direct speech could be motivated by the wish to provide evidence for a position or claim (Wooffitt 2007: 251, 268), discursal organization (Camiciotti 2007: 293–294), distancing (Clark and Gerrig 1990: 792), or vividness of description (Semino and Short 2004: 90). While the modes and their functions in Present-Day English have received much scholarly attention, less work has been devoted to historical materials. We thus know relatively little about the full range of representation modes employed in historical periods, in what contexts they were used, and for what purposes.

Our study investigates the ways in which speech is represented in witness depositions from early modern England, based on three deposition collections taken from *An Electronic Text Edition of Depositions 1560–1760*, or *ETED*. The representation of previous speech events is central in this genre: depositions constitute the retelling of a witness’s actions or observations in connection with a court case, whereby the originally oral narrative of the

¹ We are grateful to Claudia Claridge, Colette Moore, Mick Short, and an anonymous reviewer for comments on a version of this article. Naturally, any remaining errors are our own.

² We use the term “representation” rather than “presentation” or “report” in our study since a previous speech event is being reconstructed or represented in most cases (cf. Semino and Short 2004: 2–3).

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 deponent (i.e., a previous speech event) is represented in writing by a scribe. Often embedded in this narrative are references by the deponent to and hence representation of even earlier speech events.

We adopt the framework of description presented by Semino and Short (2004). At the same time, we test the applicability of this framework that was created primarily to elucidate speech representation in modern text to our historical material (cf. McIntyre and Walker 2011). Most historical research has focused on a limited range of modes, especially direct and indirect speech, but we consider the full range of categories suggested by Semino and Short (2004), and we provide quantification of the different modes.

2. Material

A typical example of a deposition is shown in (1). The deposition begins with information about the deponent, Caleb Lester, the time and place of recording of the deposition, as well as the name of the presiding official before whom the deposition was given. It continues with the deponent’s testimony, including his retelling of a conversation with Robert Pitcher.

(1) <no fol., recto (2)> <Hand 1> The Informa^{con}. of Caleb Lester of
 S^t Andrews pish Taken vpon oath
 the 21th of January 1706 Before
 William Cooke Esq[~]

who Saith that on Satterday Last at night he being
 at one William Crisps of S^t Andrews pish Ale
 housekeep[~] where there was on Robert Pitcher
 Worsted weav[~] of S^t Johns of Timb[~]hill pish there was
 some discourse about the Late King william of
 with the said Pitcher & the said Deponant; And
 the said Robert Pitcher said that King William
 had no right to these Kingdomes, the said
 Deponant Replyed to y^e s^d Pitcher & said that this
 p[~]sent Queen had never satt on her Throne if
 King William had not come, And then the said
 Pitcher Replyed & said to y^e s^d Deponant that if
 Ever any man was Damn^d that King William
 was & that he was now in Hell & that he
 the said Pitcher went on with Base Expressions
 Cursing \wedge {y^e Late} King William & Calling him Dogg & Did
 swear sev[~]all oaths And further he Doe not
 say

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Juratt Coram me
willm: Cook. maior

Caleb Lister (ETED: Norwich 1700–1754: F_4EC_Norwich_004)

For this study, we draw material from *ETED*, which provides access to witness depositions that have been faithfully transcribed from the original manuscripts. Owing to the time-consuming nature of the analysis, we focus on three of the deposition collections in *ETED*, all from Norwich, in the sixteenth and eighteenth centuries (see Table 1). These span the early modern period and represent the criminal/civil court system rather than the ecclesiastical system. Future research will show whether collections from other regions and the ecclesiastical court system found in *ETED* point to patterns different from those presented here.

Table 1. *ETED* collections included

<i>Collection</i>	<i>No. of depositions</i>	<i>Word count</i>
Norwich 1560–1566	38	10,502
Norwich 1583	17	3,040
Norwich 1700–1754	42	8,705
Total	97	22,247

Norwich 1560–1566 covers both civil and criminal cases heard before the Mayor at Quarter Sessions, but possibly also the Mayor’s Court (Walker 2011: 119). The depositions appear to relate to cases including business disputes, broken contracts, and abusive words. One deposition, a very rough draft (no. 004) of another deposition in *ETED* (no. 006) was excluded, leaving us with 38 depositions from this collection. The second collection, Norwich 1583, contains 17 depositions relating to a manslaughter case in Norwich. The original documents were sent to the Court of the Queen’s Bench in London, where they were copied into the Court Roll; it is these copies that are the source material for the *ETED* transcriptions (Walker 2011: 120). Norwich 1700–1754, the third collection, comprises 42 depositions from the Norwich Quarter Sessions. The topics treated range from verbal abuse to homicide.

The scribal context varies in each of the collections. Both Norwich 1560–1566 and Norwich 1583 were written by one scribe, respectively, while Norwich 1700–1754, which spans a longer time period, contains contributions by 12 different recorders. Whether the language presented in the depositions, including the speech representation strategies, should be attributed to the deponent or to the scribe is a fraught issue (Grund and Walker 2011: 44–

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56). We can tell that the scribe must be responsible for the choice of representation mode in some contexts (see Section 5.2). In other cases, however, we cannot tell with any degree of confidence whether the strategies belong to the deponent or to the scribe. For our exploration, it is not essential to determine to whom the strategies should be attributed. Instead, we see the depositions as the textual result of the co-construction between the deponent and the scribe. This textual result constitutes the evidence submitted to the court and used during the trial process.

3. Previous research and methodology

The forms and functions of speech representation have interested scholars in a variety of linguistic fields: (literary) stylistics (e.g., Leech and Short 1981 [2007]; Fludernik 1993; Semino 2004); genre studies (e.g., Philips 1986; Semino, Short, and Wynne 1999; Semino and Short 2004); cognitive/functional grammar (e.g., Halliday 1994; Vandelanotte 2009); and pragmatics, discourse analysis, and conversational analysis (e.g., Tannen 1989; Baynham and Slembrouck 1999; Holt and Clift 2007). However, only relatively recently has speech representation begun to receive sustained attention in English historical linguistics. Similarly to studies of Present-Day English, these historical investigations have demonstrated the wide range of genres in which the representation of speech plays a significant role, including newspapers and news reports (Jucker 2006; McIntyre and Walker 2011; Jucker and Berger 2014), medieval treatises (Camiciotti 2000, 2007), and fiction (McIntyre and Walker 2011; Busse forthcoming). Most notably, Moore (2011) has shown the substantial ways in which the formal, textual, and functional parameters of speech representation (especially indirect and direct speech) have changed over the course of the history of English. Some attention has even been devoted to speech representation in historical witness depositions, the genre focused on in this study (Moore 2002, 2006, 2011: 61–68, 88–98; Włodarczyk 2007: 174–176; Culpeper and Kytö 2010; Grund 2012, 2013; Lutzky forthcoming). We add to their findings by considering more carefully the full system of and interplay between different speech representation modes, the complex discourse levels of depositions, and the pragmatic functions that the modes perform.

Previous research has tended to focus on either a two-way split of speech representation into direct and indirect speech or a three-way split into direct, indirect, and free indirect speech. However, more complex schemes have also been proposed (e.g., McHale 1978: 258–260; Fludernik 1993: 311; Thompson 1996). In this study, we adopt the now

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widely-used model originally proposed by Leech and Short (1981 [2007]) and elaborated on in subsequent studies (e.g., Semino, Short, and Wynne 1999; Short, Semino, and Wynne 2002). We use the specific version presented in Semino and Short (2004) and summarized in Semino (2004).³ This model allows us to capture the complex system of speech representation in our depositions, and it facilitates the comparison of our results with those of previous investigations employing this model. In our identification of speech representation modes, we adopted a “text-driven approach” (cf. Bednarek 2006: 638–639): instead of searching for a number of predetermined lexical forms that may indicate speech representation, we inspected the texts manually. Such a methodology proved crucial, as the modes occurred in a large number of different linguistic forms, and relevant examples were not always overtly signalled by linguistic forms indicating speech (cf. Collins 2001: 10–16; McIntyre and Walker 2011).

Semino and Short (2004: 10) position the speech representation categories on a scale representing, the “amount of ‘involvement’ of (i) the original speaker in the anterior discourse and (ii) the person in the posterior discourse presenting what was said in the anterior discourse”, and the modes are signalled by different linguistic forms or syntactic structures. The categories range from Narrator’s Representation of Voice, which is the furthest from the original speaker’s utterance, at one end, to Free Direct Speech, which is purportedly the least distant from the speech of the original speaker, at the other end (Semino and Short 2004: 49). All the categories are explained and illustrated in what follows.

Narrator’s Representation of Voice (NV): This mode involves a reference to verbal activity but with no information on the actual form and content of the utterance (Semino and Short 2004: 44). One such example is the text underlined in (2).

- (2) Edward
Goodman a near Neighbour & Samuel
Bradbrooke a worsted weaver & a Stranger
man whose name this Exam^t Knows not
were together near this Exam^{ts} house talking
& he heard the word fire mentioned by
One of those men (ETED: Norwich 1700–1754: F_4EC_Norwich_035)

Narrator’s Representation of Speech Acts (NRSA): This mode indicates the illocutionary force of the utterance but there is no attempt to represent the utterance itself (Semino and Short 2004: 52), as in (3).

³ Semino and Short (2004) also include thought and writing representation in their study. As such examples are very rare in our depositions, we deal only with speech representation.

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- (3) This Informant being duely sworn, saith
that on Sunday morning the 23^d Instant
about six o’ Clock, She was in S^t Augustine’s
parish in the s^d City <“City” written over “the s^d”>
(ETED: Norwich 1700–1754: F_4EC_Norwich_039)

Semino and Short (2004: 53) make a further distinction within the category of NRSA, namely those “where the report of the speech act is accompanied by an explicit indication of the subject-matter/topic of the utterance”. Such examples of NRSA with topic are coded NRSAp, as in (4).

- (4) whervpon forasmoche as he ded confesse the
truthe wyth lamenting I sent the woman to pryson by
the Constable and retayned the seyde Wylm in myne owne
hows all nyght.
(ETED: Norwich 1560-1566: F_1EC_NorwichA_022)

Indirect Speech (IS): Indirect speech is signalled by a reporting expression (as in “Seman askyd hym” and “he answerid” in (5)), the reported clause is subordinate to the reporting expression, and “[t]he language used in the reported clause is appropriate to the narrator (in terms of pronouns, tense, deixis generally, lexis, etc.)” (Semino 2004: 434).

- (5) and beyng ther Seman askyd hym
where M^r Doctor Barrett was / to whome he answerid that
he coulde not tell where he was /
(ETED: Norwich 1560–1566: F_1EC_NorwichA_010)

Free Indirect Speech (FIS): Although the previous categories are reasonably straightforward to implement in our depositions material, FIS is more problematic. According to Semino and Short (2004: 13, 85–86), FIS shares features of both DS and IS, and typically lacks a reporting expression. We find some examples that fit such a description well in terms of sharing DS and IS features. In (6), the lexis appears to be that of the original speaker as in DS or at least appears to evoke that person’s voice, especially the emotionally charged language “care a t--d” and “kiss...arse”. The pronoun usage, on the other hand, is that of the “narrator” (i.e., the deponent), and the reported clause is subordinate to the reporting expression, which are both characteristic of IS.

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(6) he said he
did not care a t--d for him, he might
kiss his arse. (ETED: Norwich 1700–1754: F_4EC_Norwich_012)

Culpeper and Kytö (2010: 75) put forward a similar example from a deposition as FIS on the grounds that it includes “some words which are highly likely to have been used by the original speakers”.

However, it was not always clear how to implement this category in our material. Especially problematic for our material is Semino and Short’s (2004: 86) assertion that FIS is signalled by “the presence of any linguistic features that mark a move away from narratorial control towards the evocation of the reported voice”. To draw a strict, reliable line between FIS and especially IS that produces replicable results using this definition is very difficult. Furthermore, we found a number of phenomena in our depositions that seemed related to FIS, but which only partially correspond to the FIS characteristics given by Semino and Short (2004) and instead seem more related to the concept of “slipping” from one mode to another (Schuelke 1958; McHale 1978: 260). In (7), the representation begins with IS but morphs into DS.

(7) And
then Mr Quasshe askyd hym why that he had set
gatherers of pease there before the tyme appoynted that
yt shoulde be knowne whether you shoulde haue the
pease or I by the law. (ETED: Norwich 1560–1566: F_1EC_NorwichA_021)

There is also some disagreement among previous treatments concerning how early FIS is present in English texts. While some scholars such as Fludernik (1993: 93–94) and Culpeper and Kytö (2010: 75) argue for cases of FIS in medieval and early modern texts (see also Collins 2001: 130–155), other scholars suggests that it is a later phenomenon. Moore (2011: 4) avoids using FIS, “preferring to reserve that term for modern texts that employ the form to subvert the categorical distinction between direct and indirect speech”. She sees the mixing of IS and DS as an indication that the system of representation was less categorical in historical periods: it “is not the application of consistent conventions of a separate discourse mode, but is rather a mixture of incompletely divided discourse modes” (Moore 2011: 131). As the number of instances of the various mixtures of IS and DS is low (35 examples), we cannot tell whether these mixed modes should be seen as separate, distinct categories. We therefore

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follow Moore (2011) in considering these instances as evidence of the continuum and overlaps between IS and DS, which we have labelled IS/DS rather than FIS.⁴

Direct Speech (DS) and Free Direct Speech (FDS): DS representation is indicated by a reporting expression, such as “the said Bassett said”, in (8), and the reported clause is grammatically independent of the reporting expression (Semino and Short 2004: 92).

- (8) And this Informant not
Complying to his Lustfull Desires the said Bassett said Damm
ye for a whore you have pict my Pockett
(ETED: Norwich 1700–1754: F_4EC_Norwich_013)

The language of the reported clause reflects that of the (alleged) speaker with regard to pronouns, tense, deixis, and lexis (Semino 2004: 434).

FDS lacks a reporting expression, and sometimes quotation marks, but is otherwise the same as DS (Semino and Short 2004: 92, 95). For our historical data, neither punctuation nor paragraphing (cf. Semino and Short 2004: 94–95) can be used as a criterion for categorizing speech presentation, but example (9) lacks a reporting expression, and has thus been treated as an instance of FDS.

- (9) And the seide Prycke desyred
this deponent to be A wytnes of A bargayne betwyn
the sayd peterson and hym / So yt ys I shoulde fferme
of Peterson a tenent in S^t Peters Parryssh w^{ch}
I wolde gladly haue by lease for terme of yeares for y^t
I must be at coste and charge in transposyng of
thinge (ETED: Norwich 1560–1566: F_1EC_NorwichA_001)

Semino and Short (2004: 194) consider FDS to be a “sub-variant” of DS, as they seem to share the same function, and we follow their classification in our data.

Hypothetical Speech (h): Semino and Short (2004: 56–57) also distinguish examples of speech representation that do not represent a previous speech event, but rather a speech event that will take place in the future or a hypothetical statement, marked by the code ‘h’ added to any of the major categories, as in (10), which is NRSAh.

⁴ These instances are not the same as the cases that are ambiguous between two different speech modes which Semino and Short (2004: 32–33) annotate using a hyphen, such as IS-DS (see below).

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(10) the said Deponant Told the said
Munford that she would Tell Ald~man Atkinson or
Justice Atkinson, (ETED: Norwich 1700–1754: F_4EC_Norwich_008)

Such hypothetical speech events can occur in any of the major representation modes (see also Semino, Short, and Wynne 1999; Myers 1999). As we will show, paying attention to hypothetical speech is of considerable importance in our material, in particular with regard to NV (see Section 5.1).

Quotations (q): A further distinction, quotation phenomena, is made by Semino and Short (2004: 54–55) in their classification (cf. Thompson 1996: 513). In their data, this was where quotation marks were used (primarily in news reports) within a mainly non-DS representation: these were deemed to “affect the status of parts of the report” but not to change the “*essence* of the categorizations” (Semino and Short 2004: 54). For our historical data this was more problematic as we were unable to classify these on the basis of punctuation. However, example (11) from our material shows an NRSAp, where the topic, the insult “forten Telling Bitch and Runny Eyed Bitch” is quoted by the deponent. We thus coded it as NRSApq.

(11) there came one Andrew
Wade Curryer to the Door and Challenged the said Deponant
to Come <“o” written over “a”?> out of his house to fight and Called to his Mother
ffrances
Samuel [...] And Called her fortan Telling Bitch and Runny <2nd “n” written over
“y”>
Eyed Bitch (ETED: Norwich 1700–1754: F_4EC_Norwich_002)

Portmanteau and Other: Semino and Short (2004: 32–33) mention the importance of coding examples which are ambiguous between two (or more) modes, because blurring boundaries may be intended for stylistic effect. “Portmanteau” examples, as Semino and Short (2004) labelled these, are rare in our material. Unlike Semino and Short’s (2004: 184) findings, where ambiguity lay primarily between IS and FIS, in our material it was occasionally difficult to determine between IS and DS, as in “I ded byd hym alyte downe and he ded so” (ETED: Norwich 1560–1566: F_1EC_NorwichA_024). The ambiguity here lies in whether “alyte” should be interpreted as an infinitive and hence IS, or an imperative, which would be DS.

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Two of our examples, in Norwich 1560–1566, were coded as “Other”: here it was ambiguous whether speech was actually involved, rather than a question of to which mode it would belong, as in “the sayde Symonde Bell and he ded stryve w^{ch} of them shoulde haue the horse” (ETED: Norwich 1560–1566: F_1EC_NorwichA_026). Here it is unclear whether “stryve” implies verbal or physical conflict.

Speech Embedding: As an overarching concern for speech representation, Semino and Short (2004: 33–35) point to the importance of considering embedding of speech. In depositions, the embedding of speech representation within other speech representation is characteristic of the genre, and we marked the discourse levels at which the speech representation occurs, as illustrated using bold face in (12), which contains three of the four levels found in our data. The reporting expressions (*narrative report of speech*, or NRS: see Semino and Short 2004: 35–39) are also marked in (12).⁵ Level 1, which we have enclosed within the coding “[1...1]” in (12), is the scribe’s representation of the speech in the courtroom; here it includes two NRSAAs (“Sworne” and “examined”) and the testimony of the deponent presented as IS. Level 2 (coded “[2...2]”) is the representation of the speech reported by the deponent in his testimony; here the deponent’s report of the words of Thomas Pryor is represented as DS. Level 3 (coded “[3...3]”) is the representation of speech within the representation of the speech reported by the deponent; here Pryor’s reference to an earlier speech event is represented as IS.

(12) <f. 13r> <Hand 1> **[1[1]1** Raffe Dykenson of Cawston Sherman
Examined of the Age of xl yeares and more
Sworne and examined the xxijth daye of
Nouembr Anno 1561 **NRSA1] NRSA1]** sayeth / **NRS1]**

[1 That wheareas Thomas Prior of Cawston abowte
thre yeares Paste was a Suter to one Angnes Hobbes of
Derehm wedowe yt chaused that the sayde Angnes cam
to Cawston to se the howse of the sayde Thoms Pryor^r
whome afterwarde she toke to husbonde / and at that
tyme **[2** the sayde Thomas pryor^r goyng wth this deponent
sayde vnto hym **NRS2]** **[2[3** I haue pswaded the wedow Hobbes **NRS3]** **[3** to be
good to John Metton [^]{hyr kynesman} **IS3]** and she ys contentyd to geve hym fyve
pounde wherof he shall haue as moche hony presently as ys
worthe forty shillinge and the other thre pounde he shall
haue betwyn this and Sturbridge ffayer next comyng **DS2]** **IS1]**
and further he sayeth not /

⁵ Although we briefly mention NRSs in Section 5, we have not attempted a full study, which would require a separate article.

Rofe dyccvnsvn (ETED: Norwich 1560–1566: F_1EC_NorwichA_013)

4. Quantitative results

There are 912 instances of speech representation, as shown in Table 2.⁶ The table reveals a picture of general stability across our three deposition collections, with some notable exceptions, discussed below. The parameter of time plays no discernible role in our material.

Table 2. The distribution of speech representation modes

<i>Category</i>	<i>1560–1566</i>	<i>1583</i>	<i>1700–1754</i>	<i>Total</i>
NV(h)	39 (8%)	1 (1%)	12 (4%)	52 (6%)
NRSA(p)(h)(q)	157 (33%)	26 (27%)	120 (35%)	303 (33%)
IS(h)	147 (31%)	55 (56%)	139 (41%)	341 (37%)
IS/DS	19 (4%)	1 (1%)	15 (4%)	35 (4%)
(F)DS(h)	104 (22%)	14 (14%)	56 (16%)	174 (19%)
Portmanteau	4 (1%)	1 (1%)	-	5 (1%)
Other	2 (<0.5%)	-	-	2 (<0.5%)
<i>Total</i>	472 (100%)	98 (100%)	342 (100%)	912 (100%)

The total column of Table 2 reveals that the preferred modes of speech representation in the three collections are IS (37%), NRSA (33%), and (F)DS (19%), although Norwich 1560–1566 favours NRSA (33%) slightly more than IS (31%) (see Sections 5.2 and 5.4). The dispreferred categories in all three collections are NV and the mixture of indirect and direct speech (IS/DS). This overall result reveals interesting differences from patterns in previous studies. In Semino and Short’s (2004: 67) corpus of present-day fiction, press material, and autobiographies, the (F)DS category is by far the most common with 49%, NRSA is second with 23%, and IS is only slightly less common at 18%. But it should be noted that they report statistically significant differences between the genres (Semino and Short 2004: 66–69); moreover, in the broadsheet newspapers, IS is more common than DS (Semino and Short 2004: 89–90). In McIntyre and Walker’s (2011: 117) study of early modern news and fiction, DS is again the most common at about 44%, with IS at c. 19%, and NRSA and NV at just under 18%; however, McIntyre and Walker (2011) do not present figures for the two genres

⁶ In Table 2, the categories with ‘h’, ‘p’ and ‘q’ in parentheses subsume those examples coded as ‘hypothetical’, ‘with topic’, and ‘quotation’ respectively (see Section 3) as these are relatively infrequent and do not appear to reveal significant quantitative patterns. Of the 303 examples of NRSA, there are 39 examples of NRSAp and 4 examples of NRSAq; with regard to the ‘hypothetical’ category, see Section 5.1. Following Semino and Short (2004: 194), we have combined our examples of FDS (seven examples, all in Norwich 1560–1566) with the results for DS as (F)DS. Since many cells are empty or contain low frequencies, we have not attempted significance testing (such as chi-square).

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Connected to the different functions of the modes is the fact that different modes are favoured at different discourse levels in the data, as can be seen in Tables 3a–3c, which show the results for the distribution of speech representation modes in each of the three Norwich collections according to the discourse levels discussed in Section 3.

Table 3a. The distribution of speech representation modes in Norwich 1560–1566 (percentages according to level)

<i>Category</i>	<i>Level 1</i>	<i>Level 2</i>	<i>Level 3</i>	<i>Level 4</i>	<i>Total</i>
NV(h)	-	16 (6%)	22 (28%)	1 (25%)	39 (8%)
NRSA(p)(h)	71 (62%)	53 (19%)	31 (40%)	2 (50%)	157 (33%)
IS(h)	34 (30%)	92 (33%)	20 (26%)	1 (25%)	147 (31%)
IS/DS	7 (6%)	9 (3%)	3 (4%)	-	19 (4%)
(F)DS	2 (2%)	101 (37%)	1 (1%)	-	104 (22%)
Portmanteau	-	3 (1%)	1 (1%)	-	4 (1%)
Other	-	2 (1%)	-	-	2 (0%)
<i>Total</i>	114 (100%)	276 (100%)	78 (100%)	4 (100%)	472 (100%)

Table 3b. The distribution of speech representation modes in Norwich 1583 (percentages according to level)

<i>Category</i>	<i>Level 1</i>	<i>Level 2</i>	<i>Level 3</i>	<i>Total</i>
NV(h)	-	-	1 (17%)	1 (1%)
NRSA(p)(q)	17 (33%)	7 (17%)	2 (33%)	26 (27%)
IS	34 (67%)	20 (49%)	1 (17%)	55 (56%)
IS/DS	-	1 (2%)	-	1 (1%)
DS	-	12 (29%)	2 (33%)	14 (14%)
Portmanteau	-	1 (2%)	-	1 (1%)
<i>Total</i>	51 (100%)	41 (100%)	6 (100%)	98 (100%)

Table 3c. The distribution of speech representation modes in Norwich 1700–1754 (percentages according to level)

<i>Category</i>	<i>Level 1</i>	<i>Level 2</i>	<i>Level 3</i>	<i>Total</i>
NV(h)	-	10 (5%)	2 (15%)	12 (4%)
NRSA(p)(h)(q)	77 (59%)	37 (19%)	6 (46%)	120 (35%)
IS(h)	54 (41%)	82 (41%)	3 (23%)	139 (41%)
IS/DS	-	15 (8%)	-	15 (4%)
DS(h)	-	54 (27%)	2 (15%)	56 (16%)
<i>Total</i>	131 (100%)	198 (100%)	13 (100%)	342 (100%)

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With regard to the different levels, Tables 3a–3c reveal some clear tendencies in the data. At Level 1, where the speech represented is speech taking place in the courtroom, NRSA and IS are most prevalent. NRSA is the most common mode in both Norwich 1560–1566 (62%) and Norwich 1700–1754 (59%), followed by IS at 30% and 41% respectively. In Norwich 1583, this pattern is reversed with the IS mode accounting for 67% and NRSA making up the remaining 33%. This distinction among the collections seems attributable to the different production contexts and textual states of the collections. Norwich 1560–1566 and Norwich 1700–1754 contain depositions in a number of different court cases with each deposition noting the legal procedure followed in the recording of the testimony, such as the swearing of an oath and an oral examination (see Section 5.2). Although such information also occurs in some depositions in Norwich 1583, it is missing in others (especially annotations about the swearing of an oath). As noted in Section 2, this collection was copied into the Court Roll of the Queen’s Bench in London, and the collection is introduced by a passage in Latin which states that a number of examinations were recorded before justices of the peace in Norwich. This initial formulation may have removed the need felt to restate some of the aspects of the legal procedure subsequently (even if such information does appear in some depositions).

At Level 2, the representation of speech from an earlier speech event reported by the deponent, IS and DS dominate in all three collections. While in Norwich 1560–1566, DS (37%) is slightly preferred to IS (33%), Norwich 1583 and Norwich 1700–1754 both favour IS (49% and 41% respectively) over DS (29% and 27% respectively). It is difficult to see an overarching explanation for this pattern in the collections as a whole. Instead, these differences appear to be dependent on case type or created by more local, pragmatic choices in individual depositions or sequences of depositions (see Section 5).

With regard to Level 3, speech representation embedded in Level 2, there is little data in Norwich 1700–1754 and especially in Norwich 1583, but NRSA is the preferred mode in Norwich 1560–1566 (40%) and Norwich 1700–1754 (46%). While the raw figures in the other two collections are too low to be considered, in Norwich 1560–1566, NV comprises 28% of the examples, closely followed by IS, with 26%. Similarly, with only four examples in total, in Norwich 1560–1566, little can be said about Level 4, the speech representation embedded in Level 3. Clearly speech events at Level 3 and Level 4 have a marginal role in the cases covered by our depositions and are not appealed to for evidentiary support.

5. Qualitative analysis

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5.1 Narrator’s representation of voice (NV)

Instances of NV present little evidence of the speech event beyond indicating that talking took place. In our depositions, such talk can be indicated by verb phrases (e.g., *talk, speak*), noun phrases (e.g., *talk, communication, words*) as well as multi-word phrases (e.g., *be in talk, talk two or three words*), which match the types found by Semino and Short (2004: 73). NV occurs most frequently in the depositions in contexts where speech is summarized, and no details seem to be needed, as in the instance underlined in (13).

(13) The seide Thomas Blome declareth that as he Rid to Walshm
markett vpon thursdaye last past beyng the xixth of June in the
company of Lawrence Hodgen and one Welle wyfe of Seynt
Andrewes among other take and comonycacon the seide Thoms
Blome asked the seide Lawrence Hodgen / Ys your perke downe
in S^t Andrewes / (ETED: Norwich 1560–1566: F_1EC_NorwichA_009)

Here it would seem that the speaker (or scribe) does not consider it relevant what the general discussion was about. Relating the discussion in more detail (which would have been possible in DS or IS) is thus unimportant; what is more significant for the case at hand is the subsequent question cast in DS that Blome asks Hodgen (“Ys your perke downe in S^t Andrewes”). With the help of the NV, the deponent or the scribe thus provides a narrative background for the question (cf. Semino and Short 2004: 45; Collins 2001: 61).

In some contexts, NV functions as an introductory summation of speech that is then elaborated on by reporting a conversation in IS and/or DS, a common usage in modern materials (Semino and Short 2004: 69–70). In (14), for instance, the verb phrase “were talkyng” sets the scene for the subsequent dialogue between Edmund Pry(c)ke and Peter Peterson in IS and FDS.

(14) one Edmonde Pryke of the Cittie of Norwch
and one Peter Peterson of the same Cittye were
talkyng together / And the seide Prycke desyred
this deponent to be A wytnes of A bargayne betwyn
the sayd peterson and hym / So yt ys I shoulde fferme
of Peterson a tenent in S^t Peters Parryssh w^{ch}
I wolde gladly haue by lease for terme of yeares for y^t
I must be at coste and charge in transposyng of
thinge to the w^{ch} peterson answerid and sayde that
he wolde make no lease by wrytng
(ETED: Norwich 1560–1566: F_1EC_NorwichA_001)

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NVs may also allow deponents and scribes to emphasize aspects of the speech event that are particularly salient or relevant. Phrases such as “wth many vnsemely woorde” (ETED: Norwich 1560-1566: F_1EC_NorwichA_036) and “with other base approbious Language” (ETED: Norwich 1700–1754: F_4EC_Norwich_002) make it possible to stress the words as objectionable without repeating them: the point that the speaker allegedly used words of that kind was important, but not the specific words. Similarly, NV formulations that signal noisiness and shouting but do not provide exact words emphasize the disruptive verbal behaviour of the person (e.g. “by hallooing & otherways greatly misheaving himself”: ETED: Norwich 1700–1754: F_4EC_Norwich_040). In these contexts, NV seems to approach uses of NRSA where the exact words are backgrounded but the nature of the speech act is foregrounded. Although the NVs do not specify a speech act, they possess a similar function in that they focus on the fact that a speech event took place and the general nature of the speech rather than the words spoken (see 5.2). These NVs also clearly add an evaluation of the speech event, reflected by the choice of evaluative modifiers (e.g., *unseemly* and *approbious*) or the nature of the verb (e.g., *hallowing*), a function that Semino and Short (2004: 71) find for NV only in modern fiction. But there are also similarities here to other speech representation strategies, especially IS and DS, where some reporting verbs or concomitant adverbials can perform evaluative functions (see, e.g., Clark and Gerrig 1990: 775–777; Thompson 1996: 521–523).

A particularly striking context for NV in our material is in combination with hypothetical speech (see Section 3). As shown in Table 4, 48% of the NV examples occur in such contexts.⁷

Table 4. The distribution of hypothetical speech representation

<i>Category</i>	<i>Hypothetical</i>	<i>Non-hypothetical</i>	<i>Total</i>
NV	25 (48%)	27 (52%)	52 (100%)
NRSA	20 (7%)	283 (93%)	303 (100%)
IS	10 (3%)	331 (97%)	341 (100%)
DS	1 (1%)	173 (99%)	174 (100%)
<i>Total</i>	56 (6%)	814 (94%)	870 (100%)

This is in stark contrast to the other speech representation modes in our material: hypothetical speech events signalled by NRSA and IS only represent 7% and 3% respectively of the instances of the two modes, with just one example, or 1%, in DS. The order of frequency of

⁷ Table 4 omits 42 instances of IS/DS, Portmanteau, and Other, as ‘h’ examples do not occur with these categories.

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hypothetical cases in terms of the percentage is the same in Semino and Short’s (2004: 168) study of modern material, and the actual percentages are similar for NRSA, IS, and (F)DS. However, their percentage is markedly different for NV at c. 16% hypothetical NV (Semino and Short 2004: cf. 67 and 168). In the depositions, very few examples of NVh occur on Level 2, that is speech reported by the deponent (4 or 16%); the great majority of the hypothetical NV instances instead occur on Level 3 (21 or 84%), that is, the representation of speech events embedded in the speech reported by the deponent. These instances are also unevenly distributed in our collections, 21 of the 25 examples occurring in Norwich 1560–1566. Instances of NVh (esp. on Level 3) occur in contexts where someone has been sent, has come, or is going to speak to someone else. Here NV is perhaps predictable as more detail is not required or even possible: the speech after all has not yet taken place. In (15), the preceding narrative clarifies that Mr. Woods wants to speak to John Copping about repaying a debt, and it is thus unnecessary to provide more detail: the NV makes it possible to indicate that speech occurred while still keeping the narrative compact and focused on the relevant issues without repetition.

(15) And then M^r Woodę desyryd this
 examinate that he wolde wright vnto the sayde John Copping to
 com to Norwiche to Speke wth M^r Woodę.
 (ETED: Norwich 1560–1566: F_1EC_NorwichA_039)

5.2 Narrator’s representation of speech act (NRSA)

NRSAs provide an indication of the speech act, but they give little detail about the content and exact formulation of the speech event.⁸ In our depositions, NRSAs primarily consist of verb phrases (although other realizations such as noun phrases occur), and only a limited number of these verb phrases occur more than once or twice, such as *answer*, *refuse*, *exhort*, *promise*, *require*, and *threaten* (cf. Semino and Short 2004: 77). While the NRSAs in the depositions provide summarizing functions similar to those of NVs, there is a clear distinction in that NRSAs clarify what speech act was involved, which is very significant in some depositions. In (16), the scribe or deponent probably saw no need to give the exact formulation of the accused’s confession: what he is accused of is already obvious. However, an NRSA allows a focus on the fact that the speech act of confession had taken place and that the accused had provided that confession (cf. Jucker 2006: 115). Similarly, in (17), the NRSA

⁸ The variants NRSAp and NRSAq, which are infrequent, exhibit no discernible pragmatic functions distinct from those of NRSA.

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 (“refused”) highlights the refusal of the deponent’s husband to give into the demands, even when tempted by bribes. More detail (made possible by IS and DS) might have distracted from the deponent’s central claim and have put more of the interpretative burden on or given more interpretative opportunity to the receiver of the text. The use of the NRSA avoids leaving the interpretation of the speech event to the reader (i.e., the authorities); the words originally spoken have already been interpreted by the deponent or scribe (cf. Collins 2011: 6, 70–71, 125, 273).

(16) the sayde M^r Bacon ded saye vnto me: S^r here ys w^toute
 Vincent Tesmonde and his Sone And the sayde Vincent his Sonne
 hath done a foly and he hath confessid vnto me the acte: he was
 ysternyght brought vnto me and accused that he had had to doo wth
 a woman in a garden and I examined hym thervpon. And he
confessed the very acte vnto me:
 (ETED: Norwich 1560–1566: F_1EC_NorwichA_024)

(17) this Exam^t went near the Watchhouse & heard
 Reynolds perswaded her husband to let Steward
 out which he refused though Reynolds
 offered him money (ETED: Norwich 1700–1754: F_4EC_Norwich_028)

The NRSA thus enables a summary and condensing of the speech event, yet highlights the most important part of it: the speech act. Similar uses have been found in a range of present-day and historical contexts (Collins 2001: 132; Jucker 2006: 115; Semino and Short 2004: 75, 77).

With these characteristics, NRSAs enable deponents and scribes to emphasize, background or even suppress certain kinds of information. However, very few instances of NRSA in our depositions occur in contexts where they can be suspected to be an attempt to manipulate potentially important details or where they are overtly evaluative. In (18), the NRSAp “Rebuked hym for his worke very moche” allows the deponent (the “hym” in the example) not to have to state exactly why his work was judged deficient by his mistress. The issue is skirted throughout the deposition, possibly because the nature of the deponent’s poor performance may have had some bearing on the case or at least because it would reflect badly on the deponent.

(18) And
 vpon a tyme abowte Sevenight before Candelmas last paste
 the wyfe of the sayde Willm George ded fall oute wth this examine

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and Rebuked hym for his worke very moche.
(ETED: Norwich 1560–1566: F_1EC_NorwichA_034)

NRSA is the second most frequent category overall in the depositions, primarily due to the use of NRSA in a very particular context: on Level 1 where the scribe represents the speech used during the taking down of the deposition. The speech represented mostly concerns events reflecting various aspects of legal procedure, including phrases such as *sworn*, *examined*, *(taken) upon oath*, and *make oath*. NRSA at Level 1 account for 165 (or 54%) of the 303 instances of NRSA in our material. Norwich 1560–1566 even shows an overall preference for NRSA over IS while the other two collections exhibit the reverse (see Tables 3a–3c). Although all three collections contain such legal phrases, in Norwich 1560–1566 each deposition contains the NRSA *sworn* and *examined* (as illustrated in (19)), which signal two separate speech events: the swearing of an oath and the questioning of the deponent. This provides at least a partial explanation for the contrast in distribution between Norwich 1560–1566 and the other two collections.

(19) <f. 68v> <Hand 1> Robert Golding of Norw^{ch} Haberdassher abowt the age
of xl^{ti} yeris sworne and examyned the viijth daye of
July A^o 1564 Sayeth

That [...] (ETED: Norwich 1560–1566: F_1EC_NorwichA_037)

In all collections, by highlighting with speech act verb phrases that certain speech events connected to legal procedure had taken place, the scribe ensured the authenticity and reliability of the deposition as a valid legal document. It would arguably have been irrelevant to record the swearing in more explicit wording since the oath was presumably known to the audience, that is, the legal authorities. As Collins (2001: 129; also 132) argues as regards uses of NRSA in his Old Russian court documents, providing more detail through other modes would give the “information a degree of prominence incommensurate with its functional load” (see also Włodarczyk 2007: 157, 168).

5.3 *Indirect speech/direct speech (IS/DS)*

Our IS/DS category covers a number of different types of mixture or overlap of IS and DS, but, as mentioned above, the overall number is rather modest, with just 35 instances (4% of the total number of examples of speech representation modes). We find instances of mixed

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 deixis (as in the switch between “thys examynate” and “I” in (20)); a speech reporting verb + *that* + DS—where we would expect IS—as in (21); switches between IS and DS at clause boundaries, as the switch from IS to DS after “for” in (22); and lexis that evoke the reported voice (Semino and Short 2004: 86; cf. Section 3), as in (23).⁹ Some of these categories correspond to those found by Schuelke (1958: 91–93) in her exploration of the phenomenon of “slipping”, but she provides a larger set of switching contexts at clausal boundaries and does not record examples of isolated mixed deixis (or of “voice-evoking” lexis).¹⁰

(20) On ffrydaye the xvijth of July abowte halfe an howre
 after nyne of the Clock at nyght John Rochester and thys
examynate setteng together at John Rochester his dore. John
 Rochester sayed goo wyth me over the waye and so I went
 wyth hym to the lane called S^t Maryes Lane where I ded
 se one Bennett Goodwyn and Wylm Vincente going together
 (ETED: Norwich 1560–1566: F_1EC_NorwichA_023)

(21) Calling to the said ffances Samuel and
saying you mother Samuel you are a runey Eye[^]{d} bitch
 a fforten Telling Bitch, and that you have two
Teats vnder The end of yo~ Brest where you
suckell yo~ Imps, (ETED: Norwich 1700–1754: F_4EC_Norwich_001)

(22) this Deponent reply’d; [^]{tis} he must
 know how he behav’d; for I have never seen
you before, to my knowledge; (ETED: Norwich 1700–1754: F_4EC_Norwich_023)

(23) Dring replied God D-<Blank>m: him he
did not Care if he pulled this Exam^t & the
Horses in pe[i]eice (ETED: Norwich 1700–1754: F_4EC_Norwich_024)

Since this category or rather continuum of representations is so diverse and only a limited number of examples occur, it is difficult to see clear patterns of pragmatic functions. However, one type that is interesting from a pragmatic perspective is a shift in person deixis. The deposition extracted in (20) is recorded both from a third-person perspective, indicated by the phrase “thys examynate” to refer to the deponent, *and* a first-person perspective, shown by

⁹ As we indicated in Section 3, this last category is particularly challenging to identify consistently. Our identification relied on particularly salient speech features such as oaths (e.g., *for god’s love*), curses (e.g., *God damn*), and discourse markers (e.g., *verily*). All in all, we identified 10 instances, but we readily admit that further research is needed on the classification of these kinds of instances in historical materials.

¹⁰ Schuelke (1958) also shows examples that would be covered by the ‘q’ code in Semino and Short’s (2004: 153–159) framework. See Section 3.

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the use of the pronoun “I”. Although this mixture may simply reflect a negotiation of the differing perspectives of the scribe and the deponent, here the switches may be motivated by a disambiguating function (cf. Collins 2001: 200). Since the deponent reports on what he and another male witness did, there are two people who could potentially be referred to with *he*, which may lead to confusion. Such ambiguity could be resolved by distinguishing between the two voices by allowing the scribe’s usual, third-person perspective to turn into a first-person narrative.

5.4 Indirect speech (IS) and direct speech (DS)

Aside from NRSA, whose frequency is substantially influenced by those relating to legal procedure (see Section 5.2), IS and DS are the core representation modes in our depositions. Both modes are introduced by a large number of reporting expressions, almost exclusively verb phrases, especially *say* in various forms (cf. Moore 2011: 57). In terms of the different levels of speech representation, the default for the speech taking place in the courtroom (Level 1) is for the testimony of the deponent to be represented as IS. Only in one deposition is the deponent’s testimony represented as DS (ETED: Norwich 1560–1566: F_1EC_NorwichA_024), possibly to clearly differentiate between the deponent and the men whose speech he is reporting (see Section 5.3). Additionally, as the deponent is the Mayor, the scribe may have adopted DS in order to represent the evidence entirely from the perspective of authority. Although the DS does not imply that the representation is verbatim (see below), the scribe may have wanted to avoid some of the more explicit signs of reformulation made necessary by IS or NRSA as that would involve the scribe’s taking on the responsibility of overtly interpreting the Mayor’s words (see below).

It is at Level 2, the representation of speech reported by the deponent, that IS and DS most often appear together. These are the dominant modes at this level (see Section 4), and seem to have contrastive functions. In Norwich 1583, DS is limited: it appears that IS is used for representing the speech of others who described the action (pertaining to a manslaughter during a performance of the Queen’s Players) to the deponents, as in (24).

(24) and one Edmunde kerrie towld this examynate that twoo of the players dyd Rvnne after the man withe there wepons drawn and kerrie tooke one of the players in his armes & woold haue Stayed hym but one ran at hym with his sworde and he feering some daunger to hym selfe lett thother goe and ffled hym selfe
(ETED: Norwich 1583: F_1EC_NorwichB_004)

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By contrast, DS is used to represent the speech of those involved during the affray, as in (25).

(25) Browne sayde to the other two hee is sped I warrant hym and the other two men sayed what soeuer thou hast doen wee will bere the out (ETED: Norwich 1583: F_1EC_NorwichB_005)

The representation of speech occurring at the time of the event is also represented by IS, but in these cases the mode of representation seems to have a summarizing function (Semino and Short 2004: 78–79), as in “word was brought into the play that one of her ma^{ties} puaunte was abused at the gate” (ETED: Norwich 1583: F_1EC_NorwichB_001), and the speech represented is not that of the central figures. This usage of IS and DS is consistent throughout the collection, perhaps because this collection relates to just one case, and the copying of the record was the work of one scribe (see Section 2). The summarizing function of IS can also be found in our other collections: it allows a concise report of the key information relating to what was said and done, and occurs especially where a more detailed report, perhaps in DS, is given in other depositions from the same case.

Often the alternation of IS and DS appears to be connected with the varying degrees of importance of the evidence presented: IS is usually used for what appears to be background information, while DS appears with foregrounded information (Collins 2001: 112–114, *et passim*; Semino and Short 2004: 80). Lutzky (forthcoming), who studied a printed edition of Norwich 1583, points out that the words represented as DS were key to identifying who was responsible for the accidental killing (see (25)). Brown was later convicted, while the “other two men” failed to appear (Walker 2011: 120–121). Information of central importance to a case is commonly—but by no means exclusively (see below)—represented as DS in the Norwich collections, while the information in IS is backgrounded (for similar usage in a modern trial, see Philips 1986: 154). This is especially notable in Norwich 1560–1566, in which cases involving contracts or abusive words are frequent, and perhaps accounts for the higher percentage of DS than IS in this collection (see Section 4). In (26), the scribe’s report at Level 1 is in IS, detailing the context of the case, and the representation of speech reported by the deponent (Level 2) is also initially in IS; the key piece of evidence, Peterson’s commitment to pay 100 shillings to the deponent at two separate occasions, is then highlighted through the use of DS against the background provided in IS. In (27), the words

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represented as DS are evidence of the speaker’s intent, whereas the ensuing action described by the deponent may be subject to interpretation (“as this Inform^t thought”).

(26) [...] sayeth /

That the weke after Ester he this deponent cam to one Peter Peterson of the Cittie of Norwiche Goldesmyth and desyryd hym to helpe hym away with xli[~] of Testons of the best sorte And the sayde Peterson Answered and sayde I cannot do it presently but you must tarry vntyll I go or Sende to London / so that I will paye you Cs at Mayedaye and other Cs at Pentecost next after that / and ther vpon this deponent delyu[~]ed to the sayde Peterson the sayde xli[~] in Testons of iiiij ob to be payed ageyne at the dayes before rehersed
(ETED: Norwich 1560–1566: F_1EC_NorwichA_007)

(27) Buttler began to hug this Inform^t again & unbuttoned Two buttons of this Inform^{ts} breeches & put his hand in, {&} took hold of his private parts & Said now we will have it off: & attempted to Thurst his yard into this Inform^{ts} breeches with Such a Motion as tended to ~~to~~ ^{an} Endeavour to Enter his body as this Inform^t thought.
(ETED: Norwich 1700–1754: F_4EC_Norwich_019)

What is presented as DS should not be taken as a verbatim report in the sense of a word-for-word quoting of an utterance that captures all characteristics of the represented speech event (for debate about DS and verbatimness, see, e.g., Clark and Gerrig 1990: 795–800; Slembrouck 1992: 102–103; Collins 2001: 49–58; Short, Semino, and Wynne 2002). The extent to which the DS was interpreted as reflecting the speech event was undoubtedly contextually construed, and there may have been a conventional understanding within the early modern court system of what DS meant in terms of the representation of certain features, similarly to how DS is understood differently in different contexts today (see Slembrouck 1992). Moore (2011: 97–98), for example, has shown that, even in late medieval and early modern depositions dealing with defamation (where exact words would seem crucial), verbatimness appears to have been less important than providing evidence for certain aspects of the previous speech event that pertained to the legal understanding of what defamation entailed. In our depositions, it is likely that DS should be taken as faithful or at least as a claim of faithfulness in terms of representing the key words and structures of an earlier speech event that would provide meaningful evidence for the case at hand. However, the question remains open, and factors other than faithfulness may have been part of the

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 conventional understanding of DS within the court context (cf. Tannen 1989; Collins 2001: 66–68; Semino and Short 2004: 89).

In our data we also find whole dialogues represented as DS, in contexts where the dialogue is central for the case. In (28), the dialogue makes clear the form and context of the words of abuse for which the woman was prosecuted. In other contexts, the dialogue may demonstrate how the terms of a contract came about, as well as what these terms were, and similar issues. The intention in (28) (as well as in (26) and (27)) may have been to give the authorities the opportunity to interpret and evaluate key phrasing. It is a type of “self-suppression”, where the deponent (and/or scribe) “cede[s], or seem[s] to cede, responsibility for imposing meaning on the report” (Collins 2001: 70). This interpretation of course presumes that DS reflected at least a claim of greater faithfulness than IS.

(28) That on ffryday last going
 past Rachel the wife of W^m ffuller
 as shee sett in the streett, shee called
 after him, there goe a Croaking rogue
Dam[~] them all. upon w^{ch} this Examinant
 reply’d ^}{you} may say what you will, we have
King George on our side, shee the s^d
 Rachel presently answer’d, Dam[~] King George
I don’t care for any of them (ETED: Norwich 1700–1754: F_4EC_Norwich_015)

In several depositions, DS comes at the very end of the deposition after the scene has been set using IS (and/or NVs and NRSAs). We may thus see a kind of end weight or end focus in terms of the information presented in the deposition, illustrated in (29). These contexts resemble situations of “narrative peaks” or “climaxes” where DS has often been attested in a variety of historical and present-day contexts and genres (see Camiciotti 2000: 153–154; 2007: 288–294; cf. also Collins 2001: 68; Clift and Holt 2007: 2, 11).

(29) And further this deponent sayeth that after that the sayde
 Willm̄ asto Sent the dowghter of Thom̄s Hogge to the house
 of the [~~more~~] {mother} of this deponent desyryng that she and this
 deponent wolde come to hyr fathers house to Speke wth M^r Asto
 At w^{ch} tyme this deponent went thither and founde the sayde
 Willm̄ asto and John Crykemar together And this deponent
 Askyd what was his pleasure that he sent for hym / And
 then he askyd thys deponent Roger Hoglyn I sent for you
to know whether that you can fynde in your harte <“e” written over “e”> to knowe
bere goodwyll to Katheryne <Blank> and to marry with hyr

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And yf you can love hyr I wilbe very glade and {I} will geve
you wth hyr twenty nobles to maryage / And further the
sayde John Crikemare sayde yf that you will marry this mayde
I will geve hyr as good A doble Rayle as ever she ware
And further this deponent sayth not /
(ETED: Norwich 1560–1566: F_1EC_NorwichA_005)

Although IS may be used to present the background to the foregrounded, key information presented in DS, it is not infrequent that the representation of speech reported by the deponent (Level 2) is largely or wholly in IS rather than DS. One motivation for this is when it is the actions and not the words spoken that are of interest to the case, exemplified in (30). The one utterance in DS (“Damm ye for a whore [...]”) appears not to be central to the case, but there is a preference throughout our material for swearwords (primarily “damn”) to be presented in DS rather than IS. Here the DS leaves no ambiguity about whose word choice is being represented, and can be seen as a distancing device where the reporter of the speech assigns the responsibility of the wording to a person other than himself (Clark and Gerrig 1990: 792–793; Collins 2001: 208–209; Semino and Short 2004: 93; cf. Thompson 1996: 513).

(30) One Henry Bassett Came into her house And turned himselfe
about and Said it was Cold And imediately Stepped to the Door and
Locked it. And told hold of this Informant And would have Debauche^d
her saying he was a Singleman and that if he Did her any
Damage he would make h[e]r Satisfaccōn And this Informant not
Complying to his Lustfull Desires the said Bassett said Damm
ye for a whore you have pict my Pockett And thereupon put his <<“i” written over “e”>
hand into her Pockett And fforceably and feloniously took from this
Informant Two Six pence^s a Shilling and about Seven pennyworth
of halfe Penny^s whereupon this Informant Cryed out for help
(ETED: Norwich 1700–1754: F_4EC_Norwich_013)

Different speech representation modes can be used to disambiguate who is speaking, and hence act as text-organizational devices, helping provide the court with a clear narrative. In the speech representation in (31), the deponent’s speech is recorded in IS (highlighted here in italics), his fellow-witness’s speech is in DS (underlined), and the speech of the couple caught in the act of “fornication” is in an IS/DS mixture (highlighted in bold; for the interpretation of this as IS/DS, see fn. 9). Through the different speech modes, we thus get a clear delineation of who is speaking (cf. Section 5.3).

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(31) And I asked him *what he dyd se* and he made me none aunswere but Imedyately Rochester spake and sayde / gode blud you vyle vylayne are you devowreng of a mayde in her mayster his gardeine and yf I wer by the I wolde thurste my daggarde in the. And then they spake and prayed him **for the body of god to holde his tongue and not to bewraye any thing**. And then he sayed vnto them. nay I wyll never kepe any councell wyth hoores & harlotte whyle I lyve. (ETED: Norwich 1560–1566: F_1EC_NorwichA_023)

6. Summary and conclusion

Our study shows that a range of strategies were available for how to represent speech in early modern depositions. For example, NV could be used not only to merely state that speech took place or was to take place, but also to set the scene for elaboration using other speech representation modes, or highlight or evaluate bad verbal behaviour. NRSA is frequently used by scribes to frame the speech events relating to legal procedure, since the exact details of swearing an oath, for example, were not relevant. IS could be used to summarize or background information, and is the dominant mode of speech representation when the actions rather than the words spoken are in focus. DS, on the other hand, appears to act as a highlighting device, signalling, for instance, the centrality of a statement or disambiguating the speech of different language users.

Factors such as the importance of the evidence cited and the clarity of the deposition narrative were crucial considerations in representing speech in different contexts. The various speech representation modes were pragmatic, textual tools that allowed the deponents and scribes to co-construct a text that accomplished specific communicative goals within the context of the early modern court system. Our results highlight that genre is a very important factor when studying speech representation in a historical context. Although the same formal categories may be found in a range of contexts, a comparison with the results of other studies suggests that the categories’ pragmatic and textual functions may vary greatly.

We have demonstrated that Semino and Short’s (2004) framework is very useful for throwing light on the complex representation of speech in our historical material, although some aspects such as the treatment of FIS require further research. Our results suggest that investigations that focus only on DS and IS are insufficient: such research runs the risk of overlooking the complex interaction among IS, DS, and other modes, and the fact that some pragmatic functions of those modes (including IS and DS) only emerge when all the modes are contrasted.

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Some patterns evident in our study point to further avenues of investigation. In addition to the status of FIS, the relationship between DS and the concept of “faithfulness” deserves more attention. As previous research has shown, the way in which DS is understood to represent a previous speech event is very much dependent on context, and in some contexts, DS is not necessarily perceived as a claim of faithfulness at all. Exactly what expectations our scribes and the court system in general had is not wholly clear. Clues may possibly be found in the legal manuals and guides for scribes printed or circulated in manuscript in the period. An exploration of these would undoubtedly provide further insights into the complex understanding and negotiation of speech as evidence in the early modern England court system.

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